

# EXHIBIT 1



PETER M. SKINNER  
Tel.: (212) 303-3654  
E-mail: pskinner@bsflp.com

August 26, 2021

**VIA ELECTRONIC MAIL**

David Dell'Aquila  
[daquila862@gmail.com](mailto:daquila862@gmail.com)

**Re: Termination of Engagement Letter**

Dear Mr. Dell'Aquila:

On June 1, 2021, we entered into an engagement letter with you for Boies Schiller Flexner LLP (the "Firm") to represent you in connection with *Dell'Aquila, et al. v. Wayne LaPierre, et al.*, 19 Civ. 679 (WLC) (M.D. Tenn.) (the "Litigation"). As provided in that letter, the Firm may terminate the engagement, at any time for any reason by written notice, subject to applicable rules of professional conduct. We hereby provide written notice that the Firm is terminating the engagement and its representation of you. We have reluctantly decided to terminate the engagement due to fundamental disagreements we have with Elliott Schuchardt, another lawyer who also represents you in the Litigation.

Please note that an important deadline in the case is about to expire. Under the current case management schedule ordered by the judge, all discovery must be complete by August 31, 2021. Discovery is the process through which lawyers obtain facts in litigation, through document exchanges and by questioning witnesses under oath. The Firm has not made an appearance in the case and cannot conduct discovery. Our understanding is that Mr. Schuchardt has obtained very little discovery from the NRA to date. Because the Firm has not entered an appearance, we also cannot negotiate an extension of the discovery deadline with opposing counsel, or request a modification of the schedule from the Court. Mr. Schuchardt has entered an appearance and can seek that relief, but to date, we do not believe he has done so. Please confer with Mr. Schuchardt, who continues to represent you in connection with the Litigation, at your earliest convenience to ensure the discovery deadline does not pass without requesting an extension, if you and Mr. Schuchardt determine that an extension is necessary.

**BSF**

I am happy to discuss further with you any of the issues raised in this letter. I can be reached by phone at 917-445-6118 or email at [pskinner@bsflp.com](mailto:pskinner@bsflp.com).

Sincerely,

Peter M. Skinner  
Peter M. Skinner

# EXHIBIT 2

Lynda M. Hill  
*Clerk of Court*



Estes Kefauver Federal  
Building and U.S. Courthouse  
801 Broadway, Suite 800  
Nashville, Tennessee 37203  
615-736-5498  
Lynda\_hill@tnmd.uscourts.gov

September 3, 2021

VIA E-Mail and U.S. Mail: [elliott016@gmail.com](mailto:elliott016@gmail.com)

Elliott J. Schuchardt  
Schuchardt Law Firm  
6223 Highland Place Way, Suite 201  
Knoxville, TN 37919

RE: Automatic Suspension of Attorney Admission and CM/ECF Filing Privileges

Mr. Schuchardt,

In your letter to Chief Judge Waverly Crenshaw dated August 28, 2021, you disclose that the Chief Judge of the Eastern District of Tennessee suspended you from practicing law in that District for a period of two years. You further advise that litigation regarding the suspension is ongoing and on appeal to the Sixth Circuit Court of Appeals. An independent review of the record indicates that your suspension began on December 10, 2019, and will expire on December 10, 2021. Pursuant to Local Rule of Court 83.01(c)(3) for the Middle District of Tennessee, attorneys have an affirmative obligation to immediately notify this Court of any disbarment or suspension. However, there is no evidence that you notified the Court of your suspension until your August 28, 2021 correspondence. Of particular concern is the fact that you were suspended at the time you were granted admission to practice before this Court on December 16, 2019, but failed to disclose the suspension at that time.

Local Rule 83.01(c)(3) makes clear that any attorney who is suspended as a disciplinary sanction by any regulatory authority or tribunal "will be automatically suspended from the practice of law in this Court without the requirement of a separate order. The Clerk will also suspend the attorney's CM/ECF filing privileges." L.R. 83.01(c)(3). Accordingly, your admission to practice in the Middle District and your CM/ECF filing privileges have been automatically suspended. You are currently identified as counsel of record in one case pending in this Court styled, *Dell'Aquila, et al. v. National Rifle Assoc. of America*, Case No. 3-19-cv-0679. Please immediately advise your client(s) of the suspension.

If the Eastern District of Tennessee or the Sixth Circuit Court of Appeals lifts your suspension to practice in the Eastern District, you may seek to reinstate practice privileges in this Court by reapplying for admission under the Court's rules and procedures for admission to practice. L.R. 83.01(c)(3).

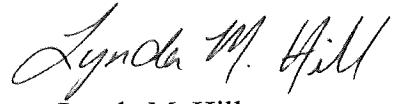
Elliott J. Schuchardt

September 3, 2021

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Please note that in considering applications for readmission, this Court is not bound by any regulatory authority or tribunal, and “in each case this Court will make its own determination as to the attorney’s fitness to practice law in this Court.” *Id.*

Regards,

  
Lynda M. Hill  
*Clerk of Court*